REMARKS

In the Final Office Action, the Examiner rejected claims 2, 23, 28, 49, and 59 under 35 U.S.C. § 112, second paragraph; rejected claims 1-7, 14-20, 23-28, 33-38, 43-49, 54-59, and 64-69 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 7,350,076 to Young et al. (Young) in view of U.S. Patent No. 7,287,156 to McGarvey; and rejected claims 8-10, 13, 29-32, 39-42, 50-53, and 60-63 under 35 U.S.C. § 103(a) as unpatentable over Young, McGarvey, and U.S. Patent No. 7,356,145 to Ala-Laurila et at. (Ala-Laurila).

By this amendment, Applicant amends claims 1, 2, 18, 26, 28, 36, 47, 49, 57, and 67-69 to more clearly define the features of those claims.

Claims 1-10, 13-20, and 23-69 are currently amended.

Regarding the rejection under 35 U.S.C. § 112, Applicants have amended claims 2, 28, 49, and 59 to respond to the rejection and, as such, the rejection under 35 U.S.C. § 112, second paragraph, should be withdrawn.

The Examiner rejected claims 1-7, 14-20, 23-28, 33-38, 43-49, 54-59, and 64-69 under 35 U.S.C. § 103(a) as unpatentable over Young in view of McGarvey. Applicants respectfully traverse this rejection.

Claim 1, as amended, recites a combination including, among other things, "forming at the terminal secret session keys by at least applying a predetermined function to the test data using the shared key established in the first authentication protocol, wherein the secret session keys are configured to secure the subsequent communications between the terminal and a network element."

The Examiner rejected claims 8-10, 13, 29-32, 39-42, 50-53, and 60-63 under 35 U.S.C. § 103(a) as unpatentable over <u>Young</u>, <u>McGarvey</u>, and <u>Ala-Laurila</u>. Applicants respectfully traverse this rejection.

Claims 8-10 and 13 depends from claim 1 and include all of the feature recited therein including, among other things, "forming at the terminal secret session keys by at least applying a predetermined function to the test data using the shared key established in the first authentication protocol, wherein the secret session keys are configured to secure the subsequent communications between the terminal and a network element." For at least the reasons noted above with respect to claim 1, neither <u>Young</u> nor <u>McGarvey</u> discloses this noted feature. Moreover, although <u>Ala-Laurila</u> discloses ciphering, it fails to cure the above-noted deficiencies of <u>Young</u> and <u>McGarvey</u>. Moreover, claims 29-32, 39-42, 50-53, and 60-63, although of different scope, include features similar to those noted above with respect to claims 8-10 and 13. Therefore, claims 8-10, 13, 29-32, 39-42, 50-53, and 60-63 are allowable over <u>Young,</u> <u>McGarvey</u>, and <u>Ala-Laurila</u>, whether taken alone or in combination, and the rejection under 35 U.S.C. § 103(a) of those claims should be withdrawn.

Young discloses a scheme for device and user authentication. However, Young *teaches away* from the above noted feature of claim 1 as Young teaches a mechanism implementing only a single authentication protocol. Indeed, the Examiner acknowledges this short coming on page 4 of the Office Action.

To cure the gap in Young, the Examiner relies on McGarvey at col. 2, lines 20-24. However, McGarvey, at best, discloses a first authentication Kerberos and a second authentication protocol PKI. Conspicuously absent from McGarvey is any disclosure of secret session keys, much less "forming at the terminal secret session keys by at least applying a predetermined function to the test data using the shared key established in the first authentication protocol, wherein the secret session keys are configured to secure the subsequent communications between the terminal and a network element." In view of the foregoing, neither Young nor McGarvey suggests or discloses at least this noted feature of claim 1. Therefore, claim 1 is allowable over Young and McGarvey, whether taken alone or in combination, and the rejection under 35 U.S.C. § 103(a) of claim 1, as well as claims 2-10, 13-17, 20, and 23-25 at least by reason of their dependency, should be withdrawn.

Independent claims 18, 26, 36, 47, 57, and 67-69, although of different scope, include features similar to some of those noted above with respect to claim 1. For at least the reasons given above, the rejection under 35 U.S.C. § 103(a) of claims 18, 26, 36, 47, 57, and 67-69, as well as claims 19, 27-35, 37-46, 48-56, and 58-66 at least by reason of their dependency, should be withdrawn.
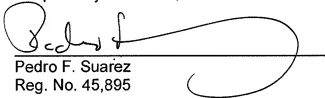
CONCLUSION

On the basis of the foregoing amendments, the pending claims are in condition for allowance. It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper.

No fee is believed to be due, however the Commissioner is hereby authorized to charge any fee that may be due, or credit any overpayment of same, to Deposit Account 50-0311, Reference No. 39700-585N01US/NC19943US. If there are any questions regarding reply, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,

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